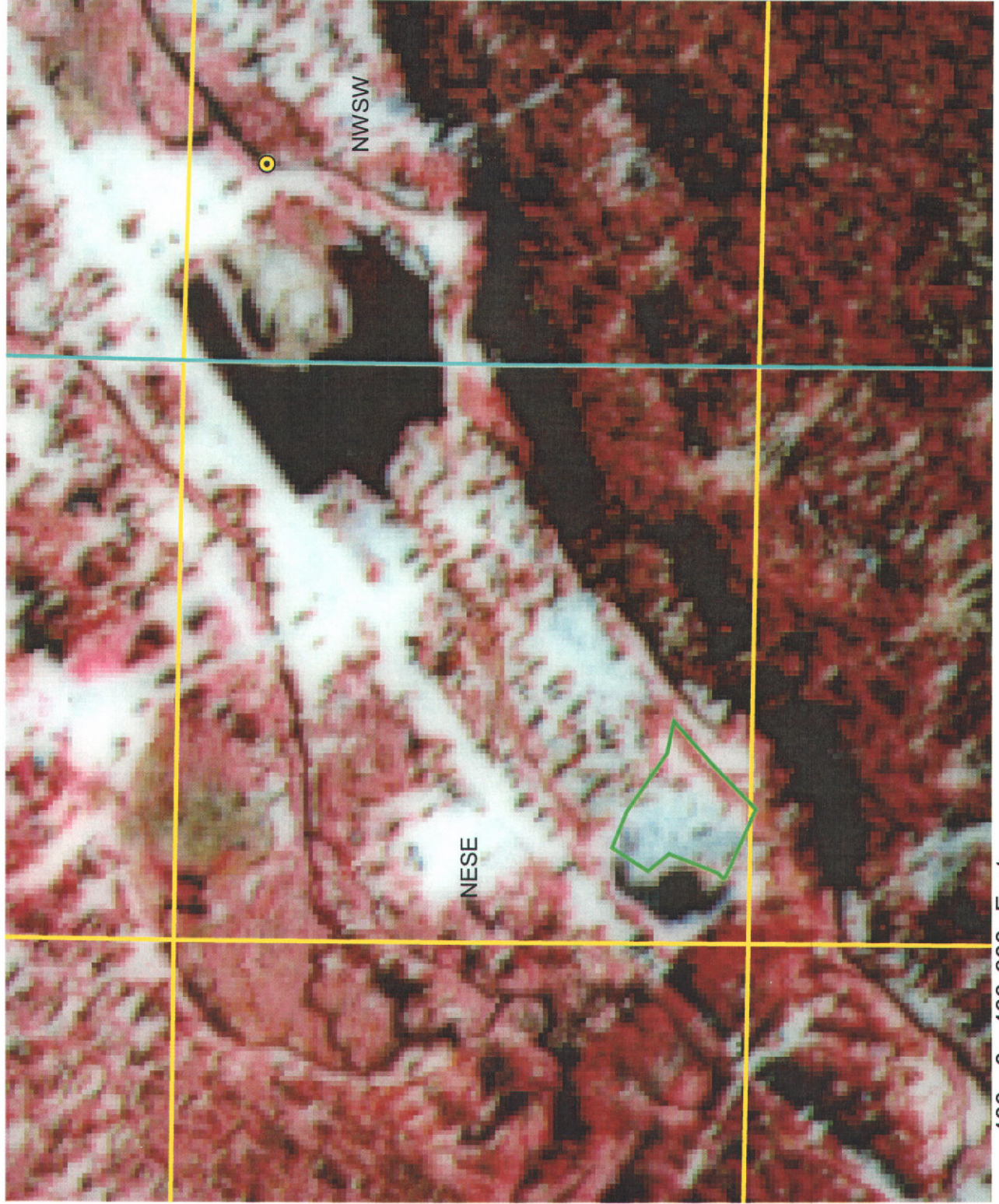


IDAHO DEPT OF WATER RESOURCES

Claim No(s) 63-15418
T06N, R05E, Sec 33
Prepared by: Maria Minicucci
February 12, 2002

- Place of use
- Point of diversion
- Section Lines
- Quarter quarter lines



400 0 400 800 Feet

1987 NAPP

SRBA Claim Number A63-15418

Date of Photos 09/20/2001

Photographer DNWICUCC

Legal Description T6NRSE

① Point of Diversion

Pines Creek

Section 34

NWNWSW

Also POB for

(A)63-16362



② Place of use.

Above ground
pipes to sprinklers

S33

NESE



TNK

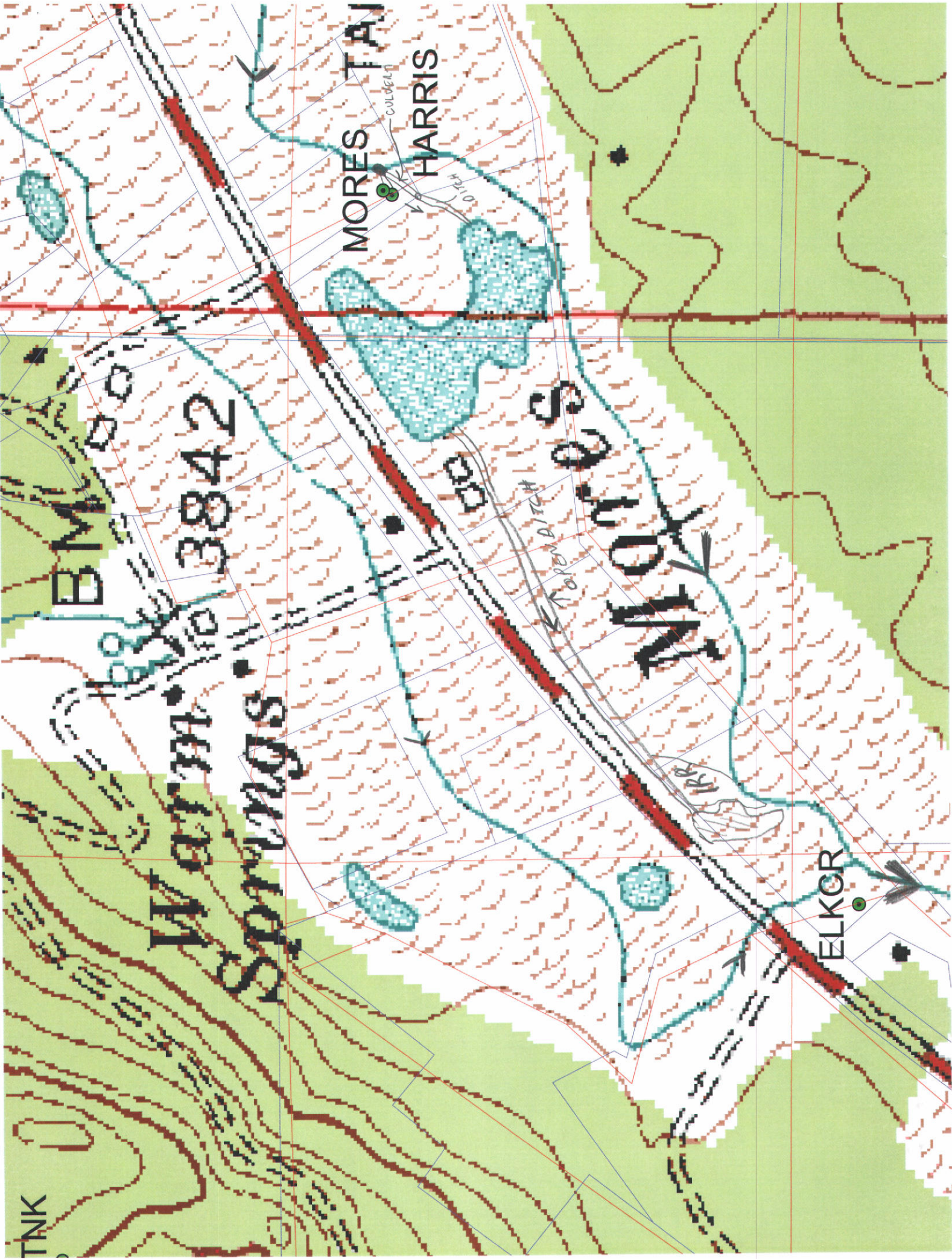
BM 3842

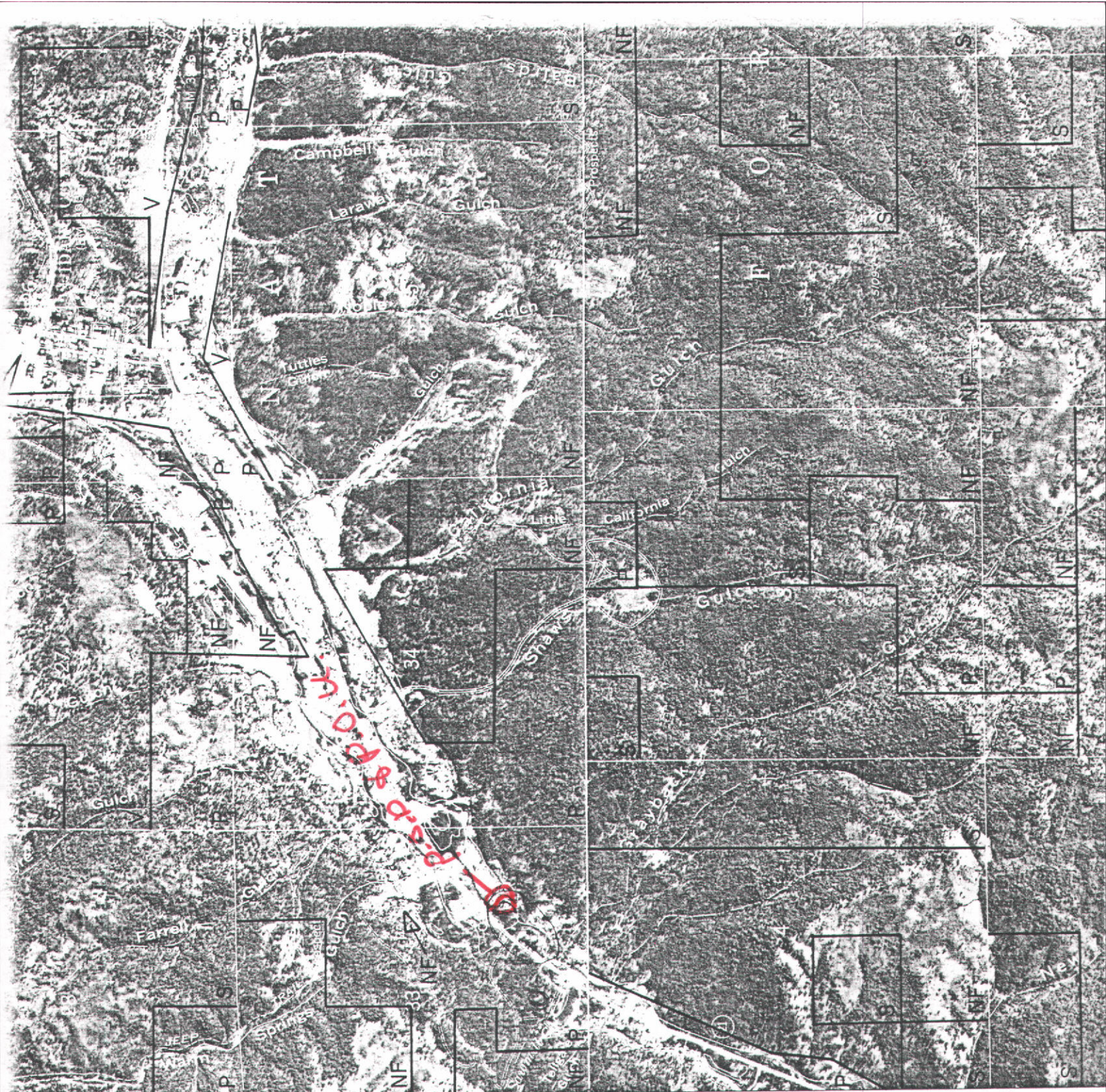
W arm 3842
Springs

MORES TAN
HARRIS

Moxes

ELKOR





4853

4852

4851

4849

47' 30"

T.6N.

T.5N.

A-63-15418

MICROFILMED
AUG 25 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-15418
Date Received: 5/19/1989
Receipt No: W002896
Received By: EAR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEVE BRADLEY 208-392-4430
Address: P.O. BOX 195
IDAHO CITY, ID 83631

AND/OR

Name: CINDY BRADLEY 208-392-4430
Address: P.O. BOX 195
IDAHO CITY, ID 83631

2. Date of Priority: APR 15, 1948

3. Source: MORES CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	05E	33	NE	SE			BOISE
			NW	SE			BOISE
			SW	SE			BOISE
			SE	SE			BOISE

5. Description of diverting works:
PUMP, PIPELINE & SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		
STOCKWATER	01/01	12/31	0.020		
IRRIGATION STORAGE	01/01	12/31			13.50
IRRIGATION FROM STORAGE	04/01	11/01			13.50
STOCKWATER STORAGE	01/01	12/31			13.50
STOCKWATER FROM STORAGE	01/01	12/31			13.50
FIRE PROTECTION	01/01	12/31	0.020		
FIRE PROTECTION STORAGE	01/01	12/31			13.50
FIRE PROTECT. FROM STOR	01/01	12/31			13.50

A63-15418

Page 1

Date: 05/19/89

MICROFILMED
AUG 25 1992

6. Water is used for the following purposes: Continued

Purpose	From	To	C.F.S (and/or)	A.F.A.
WILDLIFE	01/01	12/31	0.020	
WILDLIFE STORAGE	01/01	12/31		13.50
WILDLIFE FROM STORAGE	01/01	12/31		13.50
RECREATION	01/01	12/31	0.020	
RECREATION STORAGE	01/01	12/31		13.50

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) 13.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/10 RANGE; WILDLIFE; RECREATION; FIRE PROTECTION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	05E	33	NE	SE		IRR	1.5
			NE	SE		IRR FS	
			NE	SE		STOCK	
			NE	SE		STO FS	
			NE	SE		WILDLF	
			NE	SE		WLD FS	
			NE	SE		REC	
			NE	SE		REC S	
			NE	SE		FIRE	
			NE	SE		FIR FS	
			NW	SE		IRR FS	
			NW	SE		STOCK	
			NW	SE		STO FS	
			NW	SE		WILDLF	
			NW	SE		WLD FS	
			NW	SE		REC	
			NW	SE		REC S	
			NW	SE		FIRE	
			NW	SE		FIR FS	
			SW	SE		STOCK	
			SW	SE		STO FS	
			SW	SE		WILDLF	
			SW	SE		WLD FS	
			SW	SE		REC	
			SW	SE		REC S	
			SW	SE		FIRE	
			SW	SE		FIR FS	
			SE	SE		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	05E	33	SE		SE		STO FS	
			SE		SE		WILDLF	
			SE		SE		WLD FS	
			SE		SE		REC	
			SE		SE		REC S	
			SE		SE		FIRE	
			SE		SE		FIR FS	
			SE		SE		IRR	1.5
			SE		SE		IRR FS	
							Section Acres	3.0
							Total Acres	3.0

11. Place of use in counties: BOISE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
THE PLACE OF USE AND POINT OF DIVERSION IS MID SECTION OF THE
NESE, NWSE, SWSE, & SESE.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): X Cynthia Bradley Date: X 5-19-89

Date: _____

State of Idaho)
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 19 day

of May 19 89

Eldon H. Housh
Notary Public

Seal

Residing at _____

My Commission Expires _____

02/21/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-15418
NAME AND ADDRESS: STEVE BRADLEY
PO BOX 195
IDAHO CITY ID 83631

CINDY BRADLEY
PO BOX 195
IDAHO CITY ID 83631

SOURCE: MORES CREEK TRIBUTARY: BOISE RIVER

QUANTITY: 0.08 CFS
4.4 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/15/1948

POINT OF DIVERSION:
T06N R05E S34 NWSW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION FROM STORAGE	04/01 10/31	4.40 AFY
STOCKWATER FROM STORAGE	01/01 12/31	4.40 AFY
FIRE PROTECTION FROM STORAGE	01/01 12/31	4.40 AFY
FIRE PROTECTION	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	0.060 CFS
STOCKWATER STORAGE	01/01 12/31	4.40 AFY
RECREATION STORAGE	01/01 12/31	4.40 AFY
IRRIGATION STORAGE	01/01 12/31	4.40 AFY
STOCKWATER	01/01 12/31	0.020 CFS
RECREATION	01/01 12/31	0.020 CFS
FIRE PROTECTION STORAGE	01/01 12/31	4.40 AFY

PLACE OF USE: IRRIGATION FROM STORAGE Within BOISE County
T06N R05E S33 NESE
STOCKWATER FROM STORAGE Within BOISE County
T06N R05E S33 NESE
FIRE PROTECTION FROM STORAGE Within BOISE County
T06N R05E S33 NESE
FIRE PROTECTION Within BOISE County
T06N R05E S33 NESE
IRRIGATION Within BOISE County
T06N R05E S33 NESE 1.5
RECREATION Within BOISE County
T06N R05E S33 NESE
STOCKWATER STORAGE same as RECREATION
IRRIGATION STORAGE same as RECREATION
FIRE PROTECTION STORAGE same as RECREATION

02/21/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER IS FOR 10 HORSES.

IDAHO DEPARTMENT OF WATER RESOURCES 01/28/2002
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: STEVE BRADLEY
PO BOX 195
IDAHO CITY ID 83631

CINDY BRADLEY
PO BOX 195
IDAHO CITY ID 83631

SOURCE: MORES CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.08 CFS
13.5 AFY

PRIORITY DATE: 04/15/1948

POINT OF DIVERSION:

T06N R05E S34 NWSW Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE
IRRIGATION FROM STORAGE	04/01 10/31
STOCKWATER FROM STORAGE	01/01 12/31
FIRE PROTECTION FROM STORAGE	01/01 12/31
FIRE PROTECTION	01/01 12/31
IRRIGATION	04/01 10/31
STOCKWATER STORAGE	01/01 12/31
RECREATION STORAGE	01/01 12/31
IRRIGATION STORAGE	01/01 12/31
STOCKWATER	01/01 12/31
RECREATION	01/01 12/31
FIRE PROTECTION STORAGE	01/01 12/31

QUANTITY *up to 10.00*
9.00 AFY

4.4 ~~13.50~~ AFY

4.4 ~~13.50~~ AFY

0.020 CFS

0.060 CFS

4.4 ~~13.50~~ AFY

4.4 ~~13.50~~ AFY

4.4 ~~13.50~~ AFY

0.020 CFS

0.020 CFS

~~13.50~~ AFY

4.4

PLACE OF USE:

IRRIGATION FROM STORAGE Within BOISE County

T06N R05E S33 NESE

STOCKWATER FROM STORAGE Within BOISE County

T06N R05E S33 NESE

FIRE PROTECTION FROM STORAGE Within BOISE County

T06N R05E S33 NESE

FIRE PROTECTION Within BOISE County

T06N R05E S33 NESE

IRRIGATION Within BOISE County

T06N R05E S33 NESE 1.5

RECREATION Within BOISE County

T06N R05E S33 NESE

STOCKWATER STORAGE same as RECREATION

IRRIGATION STORAGE same as RECREATION

FIRE PROTECTION STORAGE same as RECREATION

*Diff. ownership different use
Move GP point to stream as indicated on layout*

Same POF as (A) 63-16362.

unknown how to describe div portion?

Pond on stream to pond. Pumped out of pond for

1/2 acre stock FP.

Recreation is pond itself

See Aerial View for size of pond X 3' or deeper

Pond from GIS

$$\frac{290\text{ft} \times 164\text{ft}}{43,520} = 1.1$$

$$1.1 \times 4 = 4.4 \text{ A.F.}$$

IDAHO DEPARTMENT OF WATER RESOURCES 01/28/2002
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
Stockwater use is for 10 ~~range~~ cattle.

EXPLANATORY MATERIAL: Beneficial Use

horses

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

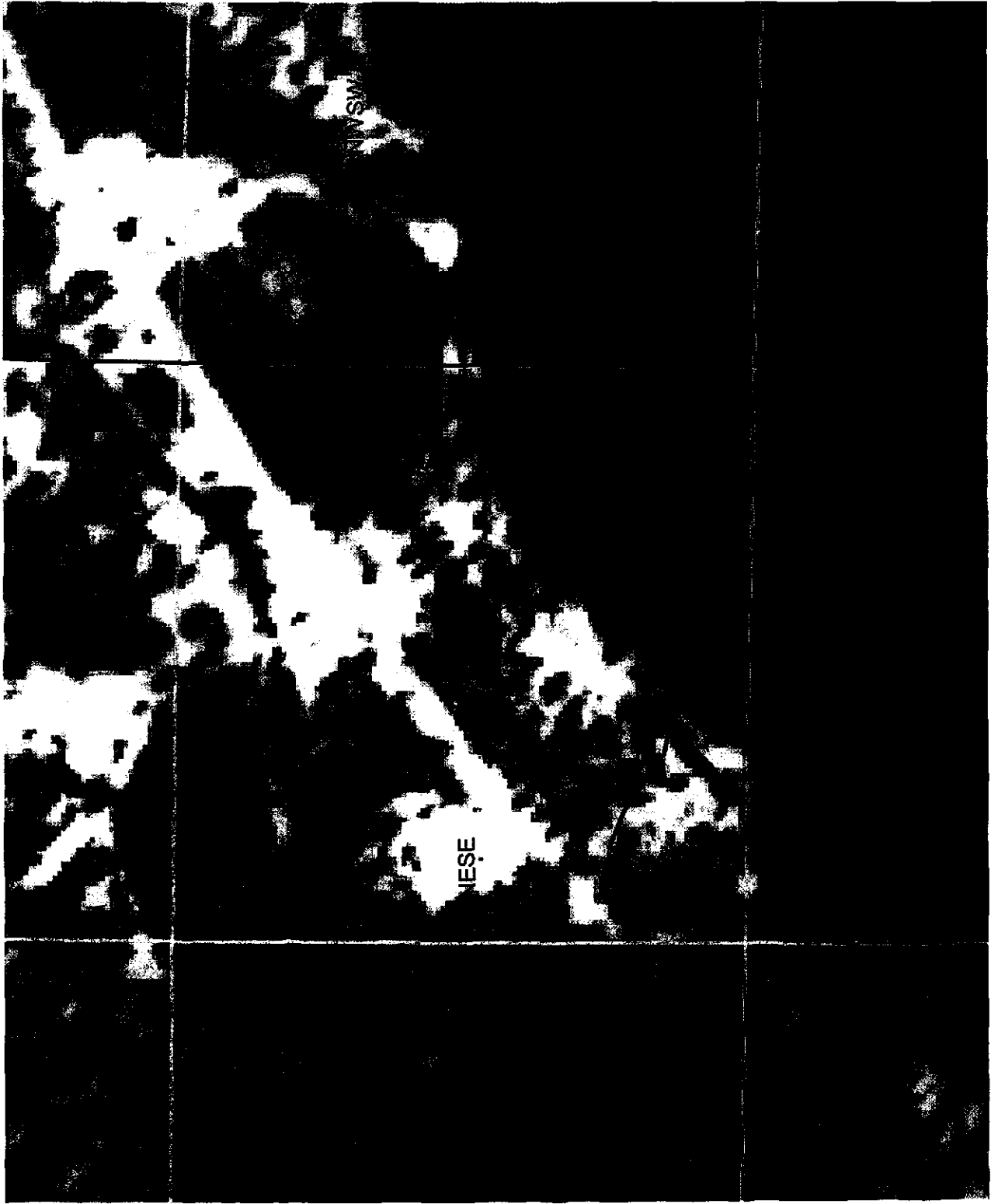
Water Right 63-15418

1

IDAHO DEPT OF WATER RESOURCES

Claim No(s) 63-15418
T06N, R05E, Sec 33
Prepared by: Maria Minicucci
February 12, 2002

- ☐ Place of use
- ☒ Point of diversion
- ☐ Section Lines
- Quarter quarter lines



400 0 400 800 Feet



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A63-15418

1. No Change NAME IS SAME ✓
NEW OWNER: _____
No Change ADDRESS
NEW ADDRESS: _____

2. No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: 04/15/1948
(If the priority date, based on your exam, seems questionable, explain below.)

Per claimant, mining ceased in the 1940s.

3. No Change — SAME SOURCE ✓
Source is different than that claimed:

Source found: _____

4. No Change — POINT OF DIVERSION
Point of diversion is different than the claim and/or new P/D's: ✓

Township 6N Range 5E Section 34 1/4 NW 1/4 NW 1/4 SW
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete description, list below:

Metal screw gate headgate in stream to culvert buried
under (Neighbors') driveway. Culvert empties into large ditch
to Harris' pond. Pond overflows to ditch to claimant's pond.
3 HP pump from pond to sprinklers.

6. No Change - WATER USES
Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____

Changes found, the new total is, Amount _____ CFS _____ AFA _____

8. No Change - NON-IRRIGATION USES:

Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township <u>6N</u>	Range <u>5E</u>	Section <u>33</u>	1/4 <u>NE</u>	1/4 <u>SE</u>
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

Pool shared w/ Harris family pond (A63-16362)

SYSTEM DIAGRAM INCLUDED

NA

Shown on GIS Layout

CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 09/20/2001

FIELD EXAMINER: Maria Trincucci

Print Name

[Signature]
Signature

SRBA Claim Number A63-15418

Date of Photos 09/20/2001

Photographer D. D. W. C. C. C.

Legal Description 76 N 2 E

① Point of Diversion

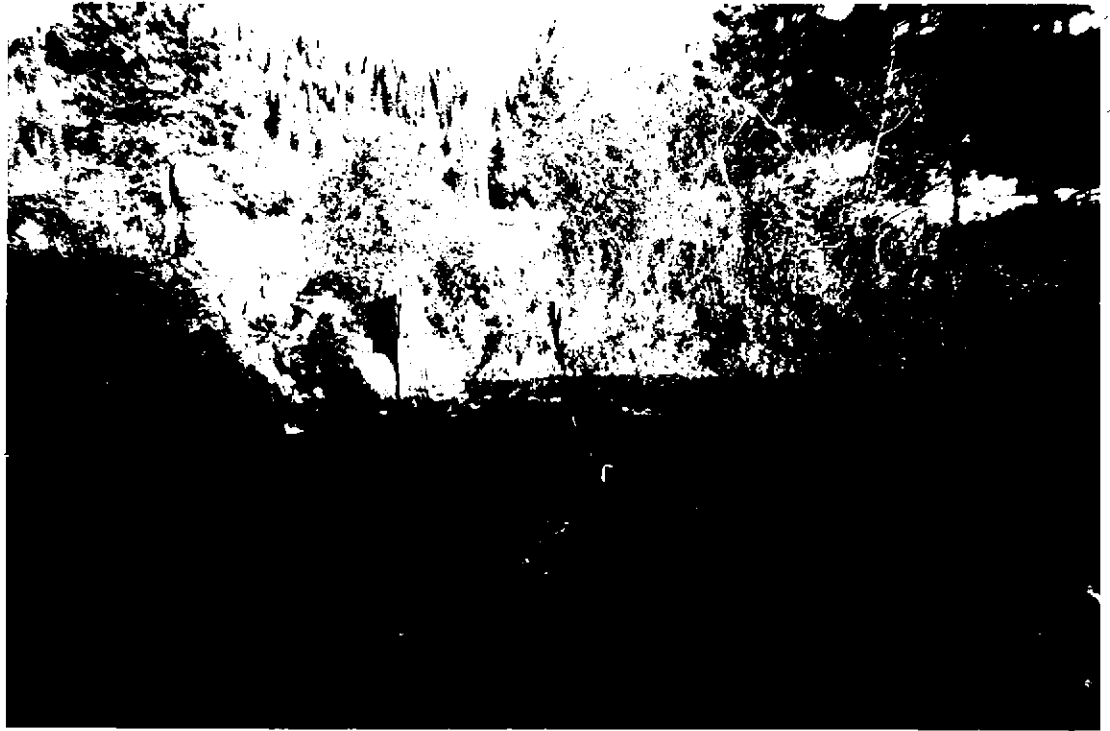
Rones Creek

Section 34

NWNWSW

Also POD for

(A)63-16362



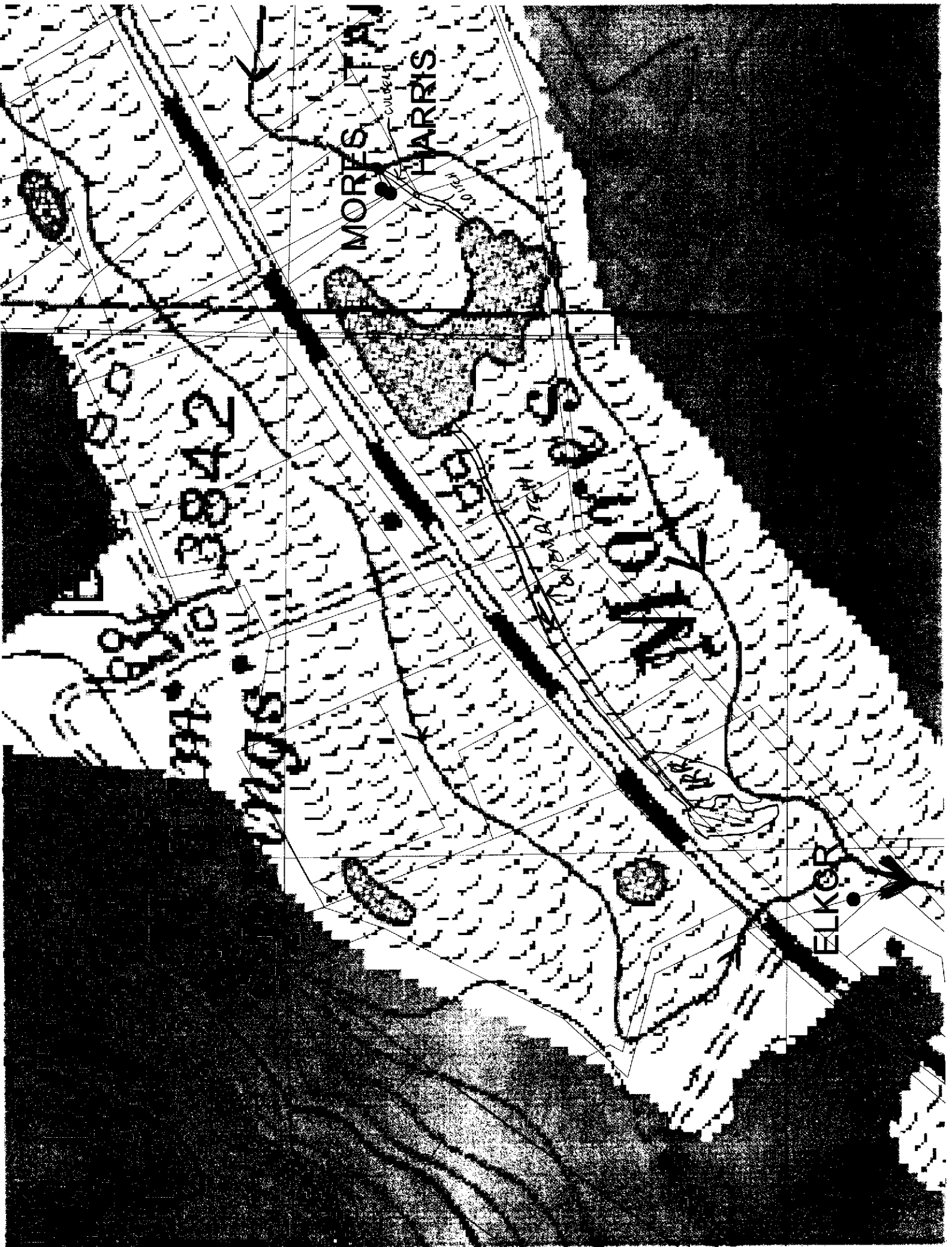
② Place of use.

Above ground
pipes to sprinklers

S 33

NESE





3842

MORIS
HARRIS

MORIS

ELK



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2100

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER (208) 334-2348

NAME AND ADDRESS: STEVE BRADLEY
PO BOX 195
IDAHO CITY ID 83631

CINDY BRADLEY
PO BOX 195
IDAHO CITY ID 83631

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SOURCE: MORES CREEK TRIBUTARY: BOISE RIVER

QUANTITY: 0.08 CFS
13.5 AFY

PRIORITY DATE: 04/15/1948

POINT OF DIVERSION: T06N R05E S34 NWSW Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION FROM STORAGE	04/01 10/31	9.00 AFY
STOCKWATER FROM STORAGE	01/01 12/31	13.50 AFY
FIRE PROTECTION FROM STORAGE	01/01 12/31	13.50 AFY
FIRE PROTECTION	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	0.060 CFS
STOCKWATER STORAGE	01/01 12/31	13.50 AFY
RECREATION STORAGE	01/01 12/31	13.50 AFY
IRRIGATION STORAGE	01/01 12/31	13.50 AFY
STOCKWATER	01/01 12/31	0.020 CFS
RECREATION	01/01 12/31	0.020 CFS
FIRE PROTECTION STORAGE	01/01 12/31	13.50 AFY

PLACE OF USE: IRRIGATION FROM STORAGE Within BOISE County

T06N R05E S33 NESE

STOCKWATER FROM STORAGE Within BOISE County

T06N R05E S33 NESE

FIRE PROTECTION FROM STORAGE Within BOISE County

T06N R05E S33 NESE

FIRE PROTECTION Within BOISE County

T06N R05E S33 NESE

IRRIGATION Within BOISE County

T06N R05E S33 NESE 1.5

RECREATION Within BOISE County

T06N R05E S33 NESE

STOCKWATER STORAGE same as RECREATION

IRRIGATION STORAGE same as RECREATION

FIRE PROTECTION STORAGE same as RECREATION

1.5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2199
IDaho DEPARTMENT OF WATER RESOURCES FAX (208) 334-2348

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
Stockwater use is for 10 range cattle.

EXPLANATORY MATERIAL: Beneficial Use

10 Horses

A63-15418

Mones Creek Pond

- 1) When was used changed from mining (slab burner) to IRR / stockwater? 1946

4/29/2001: Per Aerial View

- 2) Size of Pond

A) Surface dimensions See aerial

B) Av. Depth 10' @ max 4' av.

surface area of pond
is ~~7/200~~ 7/200
big pond

- 3) Point of diversion

A) Onstream? No

B) Description of diversion works / dam

@ pond Monarch BSBF-8
to sprinklers. $1\frac{1}{2}$ " discharge
3 HP

Mone's
creek
↑

Diversion is on
neighbors' property

orig. claim
located pond
on pond.

Above ground to sprinklers

"MONE'S"

- 4) GPS Pond / POU

Waypoint 2

20 SEP 01

Pond is on Mone's Creek on N. side of bridge to Tuffield's
Canvas dam in stream to culvert to ditch to Harris' pond,
to claimants' pond.

Randy Harris (Harris Ranch) owns big pond w/ diversion from
Mones Creek

Headgate btwn Harris' pond + Bradley's pond?

Advised claimants obtain written agreement w/ Harris + Tuffield
for access to diversion + headgate at Harris pond outlet,
to ensure flow to Bradley's pond. Pond outlets to Mone's Creek
Pond is 10 ft deep @ max.

IMPORTANT MESSAGEFOR MariaDATE 9.17 TIME 9:35 A.M.M Cindy Bradley

OF _____

PHONE 392-4430

AREA CODE

NUMBER

EXTENSION

☐ FAX☐ MOBILE _____

AREA CODE

NUMBER

TIME TO CALL

TELEPHONED		PLEASE CALL	X
CAME TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RUSH	
RETURNED YOUR CALL	X	SPECIAL ATTENTION	

MESSAGE re: set up EXAM.She'll be at this #
after 4:00 today.

SIGNED _____

FORM 3002P
MADE IN U.S.A.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A63-05002 - 15418

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent TT Twine Date 9/14/2001

Contact Person(s) Cindy / Steve Bradley 392-4430

Nature of Contact Field Exam Appr

Substance of Communication 9/14: 10:30 get msg on machine

Hwy 21 @ Elk Creek 3691

→ Grayback Camp

1/2 mole 2 black nailboxes

Brown house

RECEIVED

SEP 11 2001

WATER RESOURCES
WESTERN REGION

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

63-15418)

State of Idaho)
County of BOISE)

AFFIDAVIT

Wallace Watson being first duly sworn,
deposes and says: A pump WAS IN the small pond
now owned by the BRADLEYS IN the years between
1946 - 1949. The water pump used water from
this pond to clean out the slab burner and
for fire protection for HARRIS Brothers mill

Wallace Watson
(Signature)

Subscribed and sworn to before me this
day 8th of September, 192001.

Rosal A. Canady
(Notary Public)

Residing at Idaho City ID.

My Commission Expires 7-01-2003.

SEAL

DIVERSION
VOLUME

13.50 AFA
13.50 AFA
13.50 AFA
13.50 AFA

Stage: BENEFICIAL USE

E	SUSE	SESE
C Lt AC Lt AC		
" - - - - "		

SE	SWSE	SESE
AC	Lt	Lt
AC	Lt	AC

SE	E	SWSE	SESE
	C	Lt AC	Lt AC
	-	----	----
		S	S

E SHSE SESE
C Lt AC Lt AC

01/02/2021

AJ5809NP
No. A63-15418

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/01
PAGE: 105

Remarks: GEN THE PLACE OF USE AND POINT OF DIVERSION IS MID SECTION OF THE
NESE, NWSE, SWSE, & SESE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag: Y

Presumption Flag:

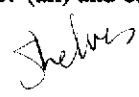
SUMMARY OF ELK CREEK WATER RIGHTS & ADJUDICATION CLAIMS FOR CITY OF IDAHO CITY


Prepared by Steve Lester, IDWR Western Region
June 14, 2001

WATER RIGHT RECORDS – See printouts highlighted in blue.

- 63-2627 License for .36 cfs with 12-25-1945 priority, ditch diversion in NENW to pond, shallow collection "well"¹ and storage tank in SENW. See 1951 field exam report for confirmation. An Adjudication Claim with this number has not been filed, but the water and priority appear to be covered by Adjudication Claims 63-4073 and 63-15422.
- 63-4073 Statutory Claim ("grandfather right") for 3.0 cfs with 12-17-1945 priority for .36 cfs and 1-10-1965 priority for 3.0 cfs, 2 shallow wells in SENW to collect creek water. Note priority for .36 cfs portion is almost identical to that described in 63-2627. Collection wells are probably same point referenced in 1951 field exam of 63-2627. The 1951 data mentions 1 well, perhaps second well added after that time. This water right is claimed in the Adjudication.
- 63-4712 Statutory Claim for 4.0 cfs with 1-1-1864 priority, subsurface collection with pump and pipeline to storage tank, all in SENW. Again, this appears to refer to the "well(s)" noted above. This water and priority are not claimed in the Adjudication, perhaps due to dubious validity of this record (?).

ADJUDICATION CLAIM RECORDS – See printouts highlighted in red.

- 63-4073 3.0 cfs with 12-17-1945 priority for .36 cfs and 1-10-1965 priority for 3.0 cfs, 2 shallow wells in SENW to collect creek water. The .36 cfs portion appears to be essentially the same water as Water Right 63-2627 (note almost identical priority) and Adjudication Claim 63-15422.
- 63-15422 .36 cfs with 12-17-1945 priority, collection wells in SENW. This Adjudication Claim describes a portion of Water Right 63-4073 and appears to more or less duplicate the water and priority in Water Rights 63-2627 (all) and 63-4073 (portion) and Adjudication Claim 63-4073 (portion).
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¹ "Well" listed in records refers to a collection method not technically a well. Technically a well must be 18 or more feet deep. The "well" reference indicates shallow collection of creek water in a previously dredged area. The shallow ground water collected in this manner can most likely be considered Elk Creek water.

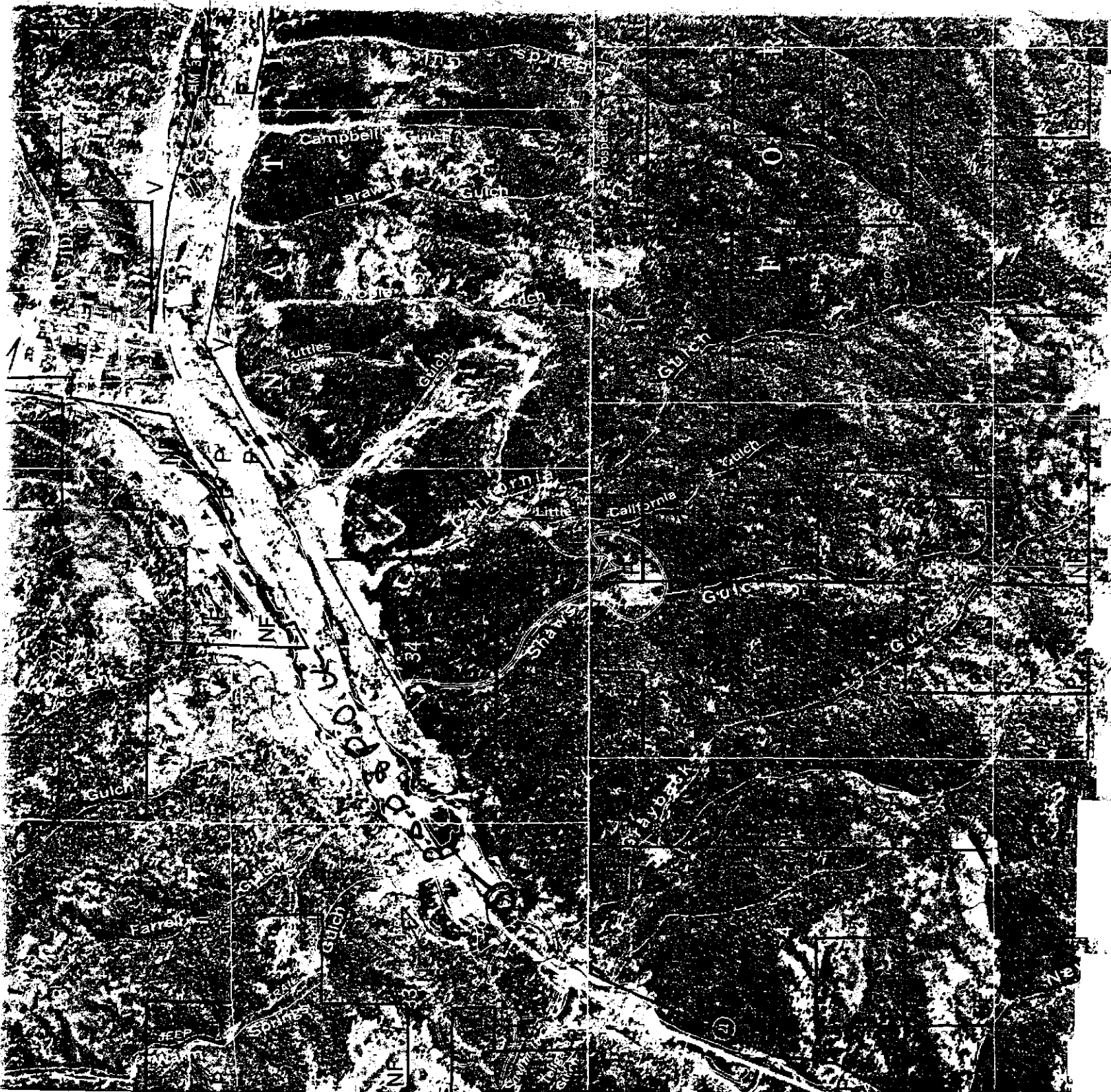
CONCLUSIONS

City appears to have at least .36 cfs with 1945 priority from Elk Creek as reflected in Water Right license 63-2627. The diversion works from 1951 exam appear to have changed prior to Adjudication commencement (1987). Current diversion works appear to include two shallow ground water "wells" or collection points from which water is pumped. The 1945 water is currently claimed as Adjudication Claims 63-4073 and 63-15422 (duplicate coverage for .36 cfs).

The original diversion point for .36 cfs from the 1951 exam was in NENW but delivered water to a pond and at least one "well" in SENW for subsequent pumping into the city system. It looks reasonable to conclude that the City diversion point for Elk Creek water is now in SENW via two collection cisterns or "wells." It also seems reasonable to assume the shallow ground water at the collection area in SENW is hydraulically connected to Elk Creek due to historical dredging and the proximity of the "wells" to the creek.

The City can file a Temporary Change Application plus a Joint Application for Permit to alter Elk Creek. Expedited processing will occur if these two filings are made. This action can result in an approved new diversion point at the creek for City water. Due to the confusing water right and adjudication history, the City should file a temporary change to Water Right license 63-2627 if the use of Elk Creek water under all City diversions will be limited to .36 cfs. If more than .36 cfs needs to be diverted, the city should consult with IDWR for the best way to proceed.

A copy of this summary should be filed with the Temporary Change Application along with a map showing the proposed diversion point on Elk Creek.



4853

4852

4851

4850

4849

T.6N.

T.5N.

47' 30"

63-15418

MICROFILMED
AUG 25 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

STEVE BRADLEY
PO BOX 195
IDAHO CITY, ID 83631

Re: Claim No(s) 63-5002

63-15418

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures